

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

VS.

Criminal Case No: 3:21-CR-107

GILBERT MCTHUNEL II, et al.

EXPEDITED MOTION FOR ESCORTED RELEASE TO LOCAL FUNERAL HOME

COMES NOW, the Defendant, GILBERT MCTHUNEL II (“Mr. McThunel”), by and through counsel, and files this his Expedited Motion For Escorted Release To Local Funeral Home and would respectfully show as follows:

1. Mr. McThunel respectfully moves this honorable Court for an Order directing the United States Marshal Service and/or the Lafayette County, Mississippi, Sheriff’s Department to escort Mr. McThunel to a viewing of the body of his deceased father (Gilbert McThunel, Sr.) at the L. Hodges Funeral Home in Oxford, Mississippi, for up to one (1) hour of viewing time.
2. On June 13, 2023, Mr. McThunel was sentenced by this Court to 120 months following a guilty verdict on the charges of Conspiracy to Commit Armed Robbery of a U.S. Postal Worker and Aiding and Abetting Armed Robbery of a U.S. Postal Worker.
3. Mr. McThunel is in custody at the Lafayette County Detention Center (LCDC) and has been in custody since the reading of the jury verdict on February 24, 2023.
4. Prior to being in custody, Mr. McThunel, was on pretrial release subject to a \$10,000 unsecured bond. For the approximately 15 months Mr. McThunel was on pretrial release, he had zero pretrial violations.

5. Counsel has verified the aforementioned death through other family members. Further, Counsel has verified with Ms. Vera Hodges that the L. Hodges Funeral Home in Oxford, Mississippi is in charge of the arrangements and has a physical address of 721 Damascus Road, Oxford, Mississippi. Further, that the L. Hodges Funeral Home is less than 3.0 miles away from the LCDC. Counsel has been informed that Mr. McThunel's body is being prepared for viewing the week of December 11th.

6. Counsel has been informed that L. Hodges Funeral Home can accommodate an escorted viewing by Mr. McThunel, Sr.'s body

7. That Robert Mims, the Assistant United States Attorney assigned to this case, has informed counsel that he does not oppose this request as long as Mr. McThunel is escorted to the viewing by officials of either the Lafayette County Sheriff's Department or the United States Marshal Service for no longer than the one (1) hour period requested.

WHEREFORE PREMISES CONSIDERED, it is respectfully requested this Court issue an Order directing the United States Marshal Service to arrange for Mr. McThunel to be escorted to L. Hodges Funeral Home within the next few days for a viewing of his deceased father for up to one (1) hour.

RESPECTFULLY SUBMITTED, on this the 7th day of December, 2023

GILBERT MCTHUNEL, II, Defendant

BY: /s/ Paul Chiniche
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CERTIFICATE OF SERVICE

I, PAUL CHINICHE, attorney for the Defendant, GILBERT MCTHUNEL, II, in the above and foregoing action, do hereby certify that I have electronically filed the above and foregoing with the Clerk of the United States District Court using the ECF system which sent notification of such filing to the following:

Robert Mims, AUSA
Email: robert.mims@usdoj.gov

Goodloe Lewis, Esq.
Email: glewis@hickmanlaw.com
(Counsel for Defendant Jamarr Smith)

William F. Travis, Esq.
Email: bill@southavenlaw.com
(Counsel for Defendant Thomas Iroko Ayodele)

SO CERTIFIED this the 7th day of December, 2023.

/s/ Paul Chiniche
PAUL CHINICHE

12/10/23
G 101 Mr. I re II

Dear

Judge Sharon Aycock,

First I want to open this letter by saying my Condolences to your family in the lost of your loved one. Times are short these days and you suppose to give your all in loving the ones close to you. Well Mrs. Aycock I didn't I was a disrespectful kid at times. I had a loving Mother and Father that loved me unconditional an all I did was fight against them. Mrs. Aycock I want to ask for your permission to go see my dad for the last time. I need to tell him I'm sorry that I love him even though he can't hear me I know that he can. If you can do this for me I promise you I won't be a problem and I won't break any of your rules for me to go. Mrs. Aycock I really need to say good bye!!! This is a really hard time for me because I didn't get a chance to right my wrong. I'm asking you to let me go see my father at Hodge's funeral home here in Oxford. If so I would greatly appreciate you for that. If you can't I understand that too.

